

/s/ David J. Robles, by SDA with permission  
Approved: \_\_\_\_\_  
DAVID J. ROBLES  
Assistant United States Attorney

Before: THE HONORABLE STEWART D. AARON  
United States Magistrate Judge  
Southern District of New York

20 MAG 5893

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UNITED STATES OF AMERICA

- v. -

KEVAN SEALES,

Defendant.

:  
: **COMPLAINT**

: Violation of  
: 18 U.S.C. §§ 922(g)(1),  
: 924(a)(2), and 2

:  
: COUNTY OF OFFENSE:  
: BRONX

- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

JAMA JOSEPH, being duly sworn, deposes and says that  
he is a Detective with the New York City Police Department  
("NYPD"), and charges as follows:

**COUNT ONE**

(Felon in Possession of a Firearm)

1. On or about May 4, 2020, in the Southern District  
of New York and elsewhere, KEVAN SEALES, the defendant, knowing  
he had previously been convicted in a court of a crime  
punishable by imprisonment for a term exceeding one year,  
knowingly did possess a firearm, to wit, a black .38 caliber  
Colt revolver, and the firearm was in and affecting commerce.

(Title 18, United States Code, Sections 922(g)(1), 924(a)(2),  
and 2.)

The bases for my knowledge and for the foregoing  
charge are, in part, as follows:

2. I am a Detective with the NYPD and I have been  
personally involved in the investigation of this matter. This  
affidavit is based upon my personal participation in the  
investigation of this matter, my conversations with other law  
enforcement officers, witnesses, and others, as well as my  
examination of reports, records, and video surveillance.

Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. Based on my review of criminal history records, I have learned, among other things, that on or about December 19, 2017, KEVAN SEALES, the defendant, was convicted in New York County Supreme Court of assault in the second degree, in violation of New York Penal Law Section 120.05, Subsection 2, which is a Class D felony that carries a maximum term of imprisonment of seven years and a minimum term of imprisonment of two years. On or about January 9, 2018, SEALES was sentenced principally to a term of two years' imprisonment.

4. Based on my participation in this investigation, my review of law enforcement reports, and my conversations with NYPD police officers and an Emergency Medical Services ("EMS") professional ("EMT-1"), I have learned, among other things, the following:

a. On or about May 4, 2020, at approximately 11:13 p.m., EMS arrived at the vicinity of 805 Astor Avenue in the Bronx, New York, in response to a 911 call reporting, in sum and substance, that an individual, later identified as KEVAN SEALES, the defendant, appeared to have collapsed onto the ground.

b. Upon EMS' arrival at the above-mentioned location, EMT-1 observed KEVAN SEALES, the defendant, on the ground between two parked cars and wearing a backpack. EMT-1 attempted to wake SEALES, who appeared to be asleep. In doing so, EMT-1 recognized SEALES as being highly intoxicated. SEALES was taken into an ambulance and told EMT-1, in sum and substance, that he did not want to go to the hospital because he was on parole and was not supposed to be drinking.

c. Once in the ambulance, EMT-1 asked KEVAN SEALES, the defendant, for his identification. SEALES told EMT-1, in sum and substance, that his identification was in his backpack. EMT-1 opened the main compartment of the backpack in the ambulance and observed a firearm (the "Firearm"). EMT-1 informed an EMS dispatcher of the Firearm and provided the backpack with the Firearm to an EMS lieutenant ("Lieutenant-1").

EMT-1 then transported SEALES to a hospital ("Hospital-1") while Lieutenant-1 drove the backpack to Hospital-1 in another vehicle alongside the ambulance.

d. Upon arriving at Hospital-1, Lieutenant-1 provided the backpack to two uniformed NYPD officers ("Officer-1" and "Officer-2"). Officer-1 opened the backpack and observed the Firearm, which was later identified as a .38 caliber black Colt revolver, in the main compartment of the backpack.

e. On May 5, 2020, at approximately 12:14 a.m., KEVAN SEALES, the defendant, was placed under arrest at Hospital-1. SEALES was then transported to the 49<sup>th</sup> Precinct in the Bronx, New York.

5. Based on my conversations with Officer-2, and my review of NYPD body camera footage and reports prepared by law enforcement, I have learned, among other things, that shortly after arriving at the 49<sup>th</sup> Precinct, Officer-1 recovered a .38 caliber round from the left pants pocket of KEVAN SEALES, the defendant.

6. Based on my communications with a Special Agent from the Bureau of Alcohol, Tobacco, Firearms and Explosives who is familiar with the manufacturing of firearms and ammunition, I have learned that the Firearm was not manufactured in New York State.

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WHEREFORE, deponent respectfully requests that a warrant be issued for the arrest of KEVAN SEALES, the defendant, and that he be arrested, and imprisoned or bailed, as the case may be.

/s/ Jama Joseph, by SDA with permission

Detective Jama Joseph  
New York City Police Department

Sworn to me through the transmission of this Affidavit by reliable electronic means, pursuant to Federal Rules of Criminal Procedure 41(d)(3) and 4.1 this, 5th day of June, 2020



THE HONORABLE STEWART D. AARON  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF NEW YORK